02-07-02

A

NON-PROVISIONAL
UTILITY PATENT APPLICATION
TRANSMITTAL - 37 CFR 1.53(b)

[ ] Duplicate
(check, if applicable)

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, DC 20231

Attorney Docket No. 10059-270U1 (P20277-02)
First Named Inventor: K. Hayashi *et al.*
Express Mail Label No. EL916935632US
Total Pages of Transmittal Form: 2

Transmitted herewith for filing is the non-provisional utility patent application entitled:

NICKEL ELECTRODE ACTIVE MATERIAL FOR ALKALINE STORAGE BATTERIES AND NICKEL ELECTRODE USING THE SAME

which is:

an [ ] Original; or

a [X] Continuation, [ ] Divisional, or [ ] Continuation-in-part (CIP)

of prior Application No. 09/255,583 filed February 22, 1999.

Anticipated Group/Art Unit: ___ or Class ___, Subclass ___.

[ ] This non-provisional patent application is based on Provisional Patent Application

No. ___, filed ____.

Enclosed are:

[X] Specification (including Abstract) and claims: 22 pages.

[X] Newly executed Declaration (original).

[ ] Copy of Declaration from prior application.

[ ] Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).

[X] 6 sheets of drawings (formal).

[ ] Transmittal Letter Accompanying Submission of Compact Disc in Accordance

with 37 C.F.R. §1.52(e), plus two identical compact discs (for computer program

Appendix)

[ ] Nucleotide and/or Amino Acid Sequence Submission, including:

[ ] Computer readable copy [ ] Paper Copy [ ] Verified Statement.

[ ] Under PTO-1595 Cover Sheet, an assignment of the invention

[ ] Name of Assignee: Matsushita Electric Industrial Co., Ltd.

[X] Certified copy(ies) of Japanese Application No. 10-040704 filed February 23,

1998 is filed:

[ ] herewith or [X] in prior application 09/255,583.

[ ] Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under

37 C.F.R. §1.27 as [ ] an Independent Inventor, or [ ] a Small Business Concern,

or [ ] a Non-Profit Organization.

[X] Preliminary Amendment.

[X] Information Disclosure Statement, PTO/SB/08A and copies of non-U.S. patent

references.

[ ]   Request for Nonpublication of Application Under 35 U.S.C. §122(b)

[ ]   Other:

The filing fee is calculated as follows:

CLAIMS	NO. FILED	NO. EXTRA	SMALL ENTITY BASIC FEE: $370			LARGE ENTITY BASIC FEE: $740	
Total	4 - 20 =	0	X9	$	OR	X18	$
Independent	2 -3 =	0	X42	$	OR	X84	$
[ ] Multiple Dependent Claims Present			$140	$	OR	$280	$
			TOTAL	$	OR	TOTAL	$ 740.00

[ ]   **The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.**

[X]   A check in the amount of $___740___.00 to cover the filing fee is enclosed.

[X]   The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 210059.0409)** as noted below. A duplicate copy of this sheet is enclosed.

[X]   Any overpayments or deficiencies in the above-calculated fee.

[ ]   Filing fee in the amount of $_____ as calculated above.

[X]   Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.

[X]   In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

CORRESPONDENCE ADDRESS:

5 February 2002
(Date)

By: KRISTYNE A. BULLOCK
Registration No. 42,371
AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
One Commerce Square
2005 Market Street - Suite 2200
Philadelphia, PA 19103
Telephone: 215-965-1200
Direct Dial: 215-965-1348
Facsimile: 215-965-1210
E-Mail: kbullock@akingump.com

[X] Customer Number or Bar Code Label: **000570**

KAB:vj
Enclosures

154379 v1